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HAS THE ABM TREATY A FUTURE?

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INTRODUCTION

When the 'Treaty between the USA and the USSR on the Limitation of Anti-Ballistic Missile Systems' (the ABM Treaty) was signed in 1972, it was hailed by its negotiators and independent observers alike as the greatest achievement in the history of nuclear arms control. Severely restricting the deployment of ballistic missile defences (BMD) by the two countries, the Treaty was widely believed to have prevented a major new round in the arms race which would have cost tens, if not hundreds, of billions of dollars. This in turn would have considerably worsened US-Soviet relations and brought the world closer to an outbreak of nuclear war.

A decade and a half later, while still in force, the Treaty has come under a number of severe challenges threatening its very existence. Each side has charged the other with blatant violations of its provisions. The US Government has adopted a novel interpretation of its terms, designed to permit unfettered development of President Reagan's Strategic Defense Initiative (SDI). That project, it is widely acknowledged, will indisputably run afoul of the Treaty's provisions within a few short years. And the inability of the superpowers to agree on the question of ballistic missile defences is blocking progress on the reduction of strategic offensive missiles in the negotiations currently going on in Geneva.

How did this unhappy state of affairs come to pass? Will the ABM Treaty be reaffirmed and strengthened, in either its present form or some amended version? Or will it be cast on the trash-heap of history, as were the disarmament agreements of earlier eras? Most importantly, has the ABM Treaty outlived its usefulness? Does it deserve to die, or can it still serve a useful purpose in moderating the strategic arms competition between the superpowers and reducing the likelihood of nuclear war?

EARLY EFFORTS AT BALLISTIC MISSILE DEFENCE

Both the US and the USSR began working on anti-ballistic missile systems — missiles designed to intercept other missiles in flight — in the late 1950s. The US successfully tested one at Kwajalein Island in the Pacific in 1962, but refrained from immediate operational deployment. About the same time the Soviets appeared to be deploying a system around Leningrad. This was dismantled, however, and a new system, the 'Galosh,' begun around Moscow in 1964.

During the mid-1960s, pressures mounted in the US to match the Soviet system. The Johnson Administration sought to deflect these pressures by engaging Moscow in strategic arms limitations covering both offensive and defensive weapons. At first, the Soviets were unenthusiastic about the idea of limiting defensive missiles, refusing to accept the theory that such systems could be destabilizing. American critics of BMD argued that it would stimulate an arms race not just in defensive weapons but also in offensive systems. The adversary would be driven to acquire larger forces in order to 'saturate' the defences. Further, BMD would increase the temptation of one side to strike first in a crisis, if it thought that its system might be adequate to deal with the 'ragged retaliation' of a wounded adversary. Even though it would be extremely expensive, its effectiveness was doubtful, given the apparent ease with which it could be overcome by Soviet countermeasures. Nevertheless, in September 1967 Secretary of Defense Robert McNamara announced that the US would deploy a limited or 'thin' ABM system, named 'Sentinel,' intended primarily for defence against the Chinese nuclear 'threat' but with some obvious capacity against limited Soviet attacks as well. In March 1969 US President Richard Nixon announced a change in the American ABM programme gearing it, at least initially, to the defence of

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ICBM sites, rather than cities.

Meanwhile, the USSR had finally announced its willingness to negotiate strategic arms limitations in May 1968. Delayed by the invasion of Czechoslovakia and the advent of a new American Administration, however, the talks — soon known as 'SALT' — did not begin until November 1969.

PROVISIONS OF THE TREATY

The Treaty which resulted, signed in Moscow on 26 May 1972 and entered into force on 3 October 1972, forbids each side from deploying a country-wide ABM system. Permitted sites were limited to one around the national capital ('National Command Authority' or NCA) and one around an ICBM field. This allowed the US to complete the one Safeguard complex it had almost finished, at Grand Forks, North Dakota, with an option to build a second ABM site under construction, at Malmstrom Air Force Base in Montana, and to forego the two additional sites that had already been authorized. The USSR could retain its Galosh system around Moscow and build a new one at an ICBM site at least 1,300 kilometres away. The distance was specified in order to prevent the creation of an effective regional defence zone. Each site was limited to no more than 100 ABM launchers and interceptor missiles. Among the ancillary restrictions were limits on the number, location and capabilities of radars, to preclude establishment of a base for nationwide defence; a prohibition on the transfer to other countries of ABM systems or their components; and a ban on their deployment outside of each party's own national territory.

Other important provisions of the Treaty, setting useful precedents for future strategic arms agreements, were related to verification and compliance. Thus, each side was specifically prohibited from interfering with the other's 'national technical means of verification,' such as reconnaissance satellites. And a US-USSR Standing Consultative Commission (SCC) was created, intended to meet at least twice a year to consider implementation and compliance questions, as well as further limitation measures. While of unlimited duration, the Treaty is subject to review every five years. As is customary with arms control agreements, each party has the right to withdraw, after giving appropriate notice — in this case, six months — if it decides that "extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests."

At a summit conference in Moscow in June 1974, the two sides signed a Protocol to the ABM Treaty further limiting deployments to just one site each. Each side would be permitted to shift once between an NCA defence and an ICBM site defence. In other words, the USSR could choose to dismantle its Galosh system and build an ICBM site defence instead; while the US could give up its Grand Forks site in favour of a defence of Washington, D.C. As it turned out, the Americans chose to deactivate their ICBM site defence in 1976, soon after it became operational, on the grounds that it was cost-ineffective in protecting only a small fraction of US nuclear forces. They never took up the option of building a Washington site. Since that time the only operational ABM system has been the one around Moscow, which has been modernized and upgraded to the technological sophistication of the earlier US system.

EVALUATION OF THE TREATY

The ABM Treaty was criticized by some disarmament advocates as 'arms control upward,' for allowing each side to build a site additional to the one it already possessed. As we have seen, neither side took advantage of this option and indeed the parties jointly foreclosed it by means of the Protocol two years later. On the contrary, the Treaty did embody some degree of actual 'disarmament'; and not merely of obsolescent systems, insofar as the second Safeguard site was dismantled. It also brought about a definite reduction from the number of systems planned, including those already authorized, in the United States; in the Soviet case, we can only guess.

Other critics have contended that, in light of the strong Congressional opposition to proceeding with the programme, the US would not have built a large-scale BMD in any event. Of course, it is difficult to know what might or might not have occurred in the absence of the ABM Treaty. Certainly, offensive nuclear force-levels on both sides continued to expand, though by means of installing multiple warheads on missiles rather than the proliferation of launchers. How much more they would have grown in the face of on-going ABM programmes is open to question. However, it is likely that, in the face of Moscow's continued improvement of the Galosh system and widespread fears about the upgrading of Soviet air defences to give them a BMD capability — prohibited by Article VI of the Treaty — pressure within the US to build a large-scale ABM system of its own would fairly soon have become irresistible.

It has been estimated that it would have cost the US over $10 billion in 1972 dollars to complete and operate the four-site ABM system that had already been approved. And pressures to expand the system to include other ICBM sites, as well as at least a limited population defence, would likely have followed. Any American programme on such a scale could be expected to be matched eventually by a Soviet counterpart, which would have necessitated acceleration of US offensive programmes and so on . . . It is difficult to quarrel with the conclusion of the Stanford

Arms Control Group that "if the ABM Treaty had not existed, America's expenditures for ABMs alone would surely have been in the tens of billions."[1]

In retrospect, the ABM Treaty appears to have promoted strategic stability in both of the senses in which the term is usually used. That is, it dampened pressures for new deployments of both offensive and defensive systems, presumably much greater than those which have actually occurred since it was negotiated. And it strengthened 'crisis stability' by preserving each side's confidence in its ability to retaliate, even after sustaining a first-strike attack, thus reducing the incentive to pre-empt in a crisis.

Some supporters of the Treaty maintain that it signified acceptance by both superpowers of the doctrine of mutual assured destruction, by which each side deliberately left itself vulnerable to attack by the other. Treaty critics argued that this was not the case in regard to the Soviet Union, which, they thought, merely sought to forestall the creation of a technologically more advanced American ABM, without thereby giving up its traditional nuclear 'war-fighting' strategy. Indeed, in operational terms, a 'war-fighting' posture — targeting the adversary's nuclear forces, rather than simply holding his population hostage — has predominated in both Soviet and US strategy throughout the nuclear era, both before and after the signing of the ABM Treaty. But this does not detract from the positive contribution of the agreement to 'crisis stability' noted above.

Finally, some analysts since have explained the ability of the superpowers to negotiate the ABM Treaty as the result primarily, if not exclusively, of the relative technological backwardness of the defensive systems then being considered. This argument has been seized upon more recently by SDI supporters to suggest that, since the technologies in question are now more 'mature,' the ABM Treaty has outlived its usefullness and should be discarded. This, of course, does not address the various other objections to BMD that appear to have been instrumental in reaching agreement on the Treaty and that may, indeed, still be valid today; while much controversy continues to exist over the technological feasibility of SDI.

COMPLIANCE CONCERNS

Concerns about compliance with the ABM Treaty first arose shortly after it went into effect, but until recently the superpowers have been able to reassure each other on this score. Compliance did not become a major issue until after the US President's General Advisory Committee in November 1983 accused the Soviet Union of violating a wide range of its arms control commitments — allegations that were repeated in annual reports to Congress by the Reagan Administration, beginning in January 1984. These in turn prompted a series of Soviet charges that the US had violated *its* arms control commitments.

Most of the charges regarding the ABM Treaty, by both sides, had little merit. In fact, in its own reports the Reagan Administration has acknowledged much of the "evidence" to be "ambiguous" and "insufficient to assess compliance." Nevertheless, it has gone so far as to charge that "the aggregate [of these activities] . . . suggests that the USSR may be preparing an ABM defense of its national territory,"[2] in violation of the most fundamental provision (Article 1) of the ABM Treaty. Most independent arms control experts in the West strongly disagree, one recent major study concluding that "the summary of US concerns is clearly no better than its independent parts . . . . [and] seems even worse than the independent parts."[3]

Most of the charges relate to Treaty provisions which are themselves ambiguous and thus open to honest debate over their interpretation. Arms control supporters have suggested that, rather than being raised in a public context in which they are almost bound to be misconstrued as blatant violations, such questions should continue to be dealt with quietly in the SCC and resolved by means of 'agreed statements' and 'common understandings' between the two sides.

A few of the allegations of non-compliance are more serious, however, and have helped poison the whole atmosphere for arms control in recent years. The most comprehensive private study of the subject to date, by a group at Stanford University,[4] judges that there has been one case of a "clear violation" by the Soviet Union and several cases of "questionable compliance" by the United States. Moreover, according to the study, in view of the stated aims of its Strategic Defense Initiative and a widely discredited reinterpretation of Treaty provisions, the US Government can justifiably be accused of an 'anticipatory breach' of the ABM Treaty, serious enough to warrant Soviet countermeasures.

Article VI(b) of the Treaty requires each party "not to deploy in the future radars for early warning of strategic ballistic missile attack except at locations along the periphery of its national territory and oriented outward." In July 1983, US intelligence satellites spotted a large radar complex under construction at Abalakovo, near Krasnoyarsk, in central Siberia. The radar, 650 kilometres from the nearest border (with Mongolia), faced northeast, across 5,000 kilometres of Soviet territory, rather than 'outward.' When Washington first raised the issue, Moscow replied that the facility was intended for space-tracking and verification of compliance with the Outer Space Treaty, allowed under Agreed Statement 'F'; and that this would become evident once construction was finished and the radar turned on. Independent arms control experts in the West are highly skeptical of this explanation, citing a number of reasons why the radar is ill-suited for space-tracking but makes perfect sense

for early warning. They also caution that, even when operating, it will be impossible to tell whether or not it possesses early-warning capabilities.

A group of US Congressmen and military experts who were allowed to visit the facility in September 1987 was unable to determine whether it was intended for early warning or space-tracking, although one of the participating experts judged it to be "not very good" for either purpose. The group concluded that, since the radar appeared to be at least two years from completion, it was "not a violation of the ABM Treaty at this time." Other arms control experts maintain that, if indeed an early-warning radar, its location and orientation make it a violation even before construction is finished. However, they agree that it is a technical violation only, without much military significance because of its vulnerability to attack. Nevertheless, it does raise questions about Soviet intentions and their willingness to respect the terms of arms control agreements. As the most troublesome among a host of charges of Soviet non-compliance, it has had a negative political impact far outweighing its military importance.

As noted above, the US Government has been accused by the Soviets of ABM Treaty "violations," and by independent analysts of "questionable compliance" related to large, phased-array radars (LPARs) of its own. As part of its modernization of the Ballistic Missile Early Warning System (BMEWS), the US has been replacing old, mechanically-steered radars by new LPARs at sites in Thule, Greenland and Fylingdales Moor, UK. Moscow charges that this violates both Article VI (b) of the Treaty, requiring such radars to be "on the periphery and oriented outward"; and Article IX, which prohibits the deployment of ABM systems outside national territory. Washington maintains that the radars in question were 'grandfathered' by the ABM Treaty, since they were already in place at the time of its signing, and Article VI(b) speaks only of 'future' radars. As for their siting outside national territory, Washington denies that they are ABM components at all.

There are several difficulties with the American position. First, the new radars are indeed 'new,' actually replacing the older ones rather than merely modifying them. In fact, the new radar at Fylingdales will be located several miles away from the old site. Most important, however, as with all LPARs, they can be used for a variety of purposes. Although intended primarily for early warning, the Thule and Fylingdales radars will have a power-aperture product* in excess of the 3 million watt-square metres suggested by the US during the Treaty negotiations, and incorporated into Agreed Statement 'F', as marking the boundary between radars with an ABM capability and those without.

* a measurement of their capacity to detect and track a large number of incoming objects simultaneously.

As in the case of the Abalakovo radar to the Soviets, independent analysts judge the BMEWS radars to be of quite marginal significance to the United States, militarily, in terms of a nationwide ABM defence. Nevertheless, they raise serious questions with regard to strict compliance with the ABM Treaty and a tendency on the part of the US Government to 'stretch' its terms in a manner similar to that usually attributed to the Soviet Union. The latter has offered to mothball its Krasnoyarsk radar if the US will do likewise with Thule and Fylindales. The US has refused on the grounds that its radars are permitted by the Treaty, whereas Krasnoyarsk is a clear violation. During Secretary of State Shultz's October 1987 visit to Moscow, General Secretary Gorbachev announced a one-year moratorium on construction at Krasnoyarsk, while noting that he expected the US to reciprocate with Fylingdales. Shultz rejected the idea, however.

Other Soviet charges of US non-compliance refer to experiments already undertaken as part of the SDI. Although none of these so far is generally believed by independent Western analysts to have transgressed the limits of the Treaty, the manner in which the Reagan Administration has justified them and planned future developments is alarming to many. Specifically, the Administration has sought to distinguish between ABM 'components,' which are covered by the Treaty, and 'sub-components' or 'adjuncts,' which are not covered; and to allow for 'field-testing' of other technologies outside the laboratory, provided that this is not done "in an ABM mode." Such distinctions are, of course, highly subjective, as is the even more fundamental one between 'research,' which is unrestricted, and 'development,' which is confined to fixed, land-based systems. There is a real danger that the Treaty may be emptied of its meaning entirely by a succession of such fine distinctions, even without being formally renounced.

Clearly, the SDI as now envisioned is fundamentally incompatible with the ABM Treaty and would, in fact, turn it on its head. Yet top US Government officials, foremost among them the President himself, declare their intention to proceed with the programme regardless. It may be asked how long the Soviet Union can be expected to continue its basic adherence to the agreement, in the face of an 'anticipatory breach' of such dimensions.

THE REINTERPRETATION DISPUTE

In the fall of 1985 the Reagan Administration announced that the traditional interpretation of the ABM Treaty, the one followed by every US Administration since its signing — including its own, for the first five years — was fundamentally incorrect. More specifically, the traditional, 'restrictive' or 'narrow' interpretation held that the development and testing of

all types of so-called 'futuristic' or 'exotic' ABM systems — those based on new technologies not available at the time of signing, such as the laser and particle-beam weapons envisioned in the SDI — was limited to fixed, land-based sites, with deployment subject to further negotiation. By contrast, the new 'permissive' or 'broad' interpretation, offered by State Department Legal Adviser Abraham Sofaer, maintained that the only restriction on 'exotic' systems was that their actual *deployment* be negotiated; in other words, that research, development and testing could all proceed unconstrained.

Three specific provisions of the Treaty are most relevant to the issue. Article II defines an "ABM system" as "a system to counter strategic ballistic missiles or their elements in flight trajectory, currently consisting of: (a) ABM interceptor missiles . . . ; (b) ABM launchers . . . ; and (c) ABM radars . . . ." By Article V(1), each Party agrees "not to develop, test, or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile land-based." Finally, Agreed Statement 'D' requires that "in the event ABM systems based on other physical principles and including components capable of substituting for ABM interceptor missiles, ABM launchers, or ABM radars are created in the future, specific limitations on such systems and their components would be subject to discussion in accordance with" the articles setting up the SCC and providing for amendments to the Treaty.

Briefly put, supporters of the traditional interpretation argue that the definition of an ABM system in Article II, being a functional one, in terms of "counter[ing] strategic ballistic missiles or their elements in flight trajectory," was clearly meant to cover all conceivable types of ABM systems, regardless of technology. The enumeration of interceptor missiles, launchers, and radars, in describing the then current 'state of the art,' was for illustrative purposes only, as evidenced by the phrase "*currently* consisting of" (emphasis added). Thus, 'exotic' systems of the type envisioned in SDI would fall under Article V's prohibition against development, testing, or deployment of sea-, air-, space-, or mobile land-based systems, and be confined to fixed, land-based sites only. Agreed Statement 'D', according to this view, merely reflected the fact that specific limitations on such systems, insofar as they would incorporate unconventional components, would necessarily involve some rewriting of Treaty terms.

By contrast, supporters of the 'broad' interpretation argue that Agreed Statement 'D' constitutes the only restriction on 'exotic' systems, however based, and applies only to actual deployment. The listing of interceptor missiles, launchers, and radars in Article II, they suggest, is all-inclusive, indicating that the main body of the Treaty text is concerned with systems based on conventional technologies only. The restrictions of Article V on basing mode, in their view, apply only to these conventional components of an ABM system.

The Reagan Administration's reinterpretation brought forth howls of protest from arms control specialists including the original drafters and negotiators of the Treaty, the Allies, and Congressmen. It represented such a drastic revision of the Treaty as customarily understood, and appeared so patently designed to justify planned SDI activities, that its legitimacy was immediately questioned. Every one of the former high Government officials involved in the actual negotiation of the Treaty on the American side, with the single exception of Paul Nitze, a current Reagan Administration adviser, denounced the new interpretation as absurd and baseless.

Although the Administration persists in describing the 'broad' interpretation of the Treaty as the 'legally correct' one, it has pledged to continue abiding by the traditional reading for the time being. Likewise, the legality of planned SDI tests over the next few years continues to be justified in terms of the traditional interpretation, albeit with the 'looseness' noted in the previous section. However, the damage to the Reagan Administration's credibility in regard to Treaty adherence has in a sense already been done, and the Administration considers itself free to invoke the 'broad' interpretation of the Treaty at any time in the future.

CURRENT NEGOTIATIONS

As noted at the outset, the future of the ABM Treaty has figured prominently in the current negotiations on nuclear and space arms going on in Geneva. The Soviet position on restricting the Strategic Defense Initiative has evolved considerably since the beginning of the talks. At first they demanded a ban on all research and development of 'space-strike' weapons, rejected in the West as unverifiable. Later, they appeared willing to allow research, development, and testing limited to the laboratory. Most recently, they have hinted that some degree of testing outside the laboratory — even in space itself — would be permitted. However, throughout the talks, the Soviets have maintained an indissoluble 'linkage' between space arms, on the one hand, and strategic offensive arms, on the other. That is, they have refused to begin the agreed 50 per cent reduction in strategic offensive arms until an agreement has been reached on space arms — in effect, on SDI.

In May 1986 Moscow proposed that the two sides abide by a strict interpretation of the Treaty for a period of 15-20 years. In the meantime, agreed definitions of 'develop' and 'prototype' would permit some degree of SDI research to continue. President Reagan responded in a letter to Gorbachev in July 1986 by proposing a seven-year period of adherence to the Treaty — five

years of non-deployment followed by two years of negotiation — after which either side could withdraw from the agreement. Crucially, however, he did not specify whether it was the traditional or the so-called 'broad' interpretation of the Treaty that would be adhered to in the meantime.

At the Reykjavik summit in October 1986, Reagan and Gorbachev agreed on a period of ten years' non-abrogation of the Treaty. However, they remained apart on the question of the traditional versus the broad interpretation, and also on what was to follow the ten-year period. Gorbachev wanted any deployment of space-based BMD after that time to be based on mutual agreement, clearly seeing ten years as a minimum, rather than maximum, period of non-deployment. Reagan wanted the freedom to deploy immediately afterward, being unwilling to accept a possible Soviet veto on SDI.

In late January 1987 a working group was set up in Geneva to list the differences between the two sides' interpretations of the ABM Treaty. It was not, however, empowered to *negotiate* on this question; hardliners in the US Administration were opposed even to the listing of differences. The following month President Reagan formally instructed his negotiators not to negotiate, or even discuss, limits on defensive systems more restrictive than the broad interpretation of the ABM Treaty. By the time Secretary of State Shultz visited Moscow in April, the US had fallen back to a seven-year non-withdrawal period to 1994, after which either side would be free to deploy. Shultz had not been authorized to discuss ways of narrowing differences on the Treaty's interpretation, despite reported requests to this effect from both the State Department and the Geneva negotiating team.

At a meeting between Shultz and Shevardnadze in Washington in September, the USSR reportedly offered two alternative proposals: (1) a detailed list of objects not to be launched into space, including limits on the brightness of lasers, the size of mirrors for redirecting laser beams, and the speed of interceptors; or (2) reaffirmation of traditional interpretation of the ABM Treaty, possibly allowing some limited testing in space. Apparently sensitive to the charge that they were demanding limits even more restrictive than the 'restrictive' interpretation of the Treaty, the Soviets soon emphasized the second of these options. This was to last for ten years, after which any unilateral deployment would face the threat of an expanded offensive arsenal. While indicating some flexibility on the period of non-withdrawal, however, the Americans were still unwilling to budge on the Treaty interpretation.

The Reagan-Gorbachev summit meeting in Washington in December failed to resolve the issue. In their joint statement afterwards, the two leaders agreed merely to observe the ABM Treaty "as signed in 1972" and to conduct research, development, and testing "as permitted by the ABM Treaty." No specifics were mentioned; as before, the issue of the traditional versus the broad interpretation of the Treaty remained unresolved. Reagan and Gorbachev also failed to agree on the length of the non-withdrawal period, although they did specify that further negotiations would begin at least three years before its end. Afterwards, unless otherwise agreed, each side would "be free to decide its course of action." Thus, the United States could begin deploying SDI, while the Soviet Union could make good its threat to take offensive countermeasures, including the abrogation of any agreement limiting strategic offensive arms.

THE FUTURE OF THE ABM TREATY

The ABM Treaty faces a number of possible futures. Certainly, there are influential voices within the Reagan Administration and among its supporters who favour scrapping the Treaty entirely, on the grounds that it was a mistake in the first place and now stands in the way of SDI. Arguing against this is the fierce resistance to such a move that could be anticipated both domestically and from Allied leaders and publics who have continued strongly to support the Treaty in its traditional interpretation. The Allies, in particular, view the ABM Treaty as the cornerstone of détente, while arms control advocates throughout the world consider it to be their most significant achievement to date.

Moreover, even among proponents of SDI, there are those who recognize the value of the Treaty and the role it could possibly play in easing a transition from the present offense-dominated nuclear strategy to one of defence-dominance. At a minimum, hardliners recognize that the Treaty as reinterpreted by the Reagan Administration can continue to severely restrict the deployment of conventional, ground-based BMD, in which the Soviets are considered by some to be superior, while leaving unconstrained the research, development, and testing of higher-technology systems in which the US is assumed by most to predominate. By the same reasoning, it would be foolish to cast aside the restraints of the present Treaty before determining that BMD based on unconventional technologies is indeed feasible. Otherwise, the Soviet Union would have a 'head start' in the building of a nationwide ABM system.

Supporters of the ABM Treaty believe that it has served its purpose well and will continue to do so in the future if reaffirmed and strengthened. They acknowledge that the Treaty as originally drafted may contain some unfortunate ambiguities and loopholes, and accordingly could benefit from further clarification of its terms or even formal amendment. They are hoping that the next review conference will be devoted to such

a strengthening of the agreement, but the chances of this seem slight in view of the continued division of opinion within the Reagan Administration on the value of the Treaty. If the Treaty can survive the next review essentially unscathed, however — and it is suggested above that outright repudiation is unlikely — there is a chance that the next US Administration will be more favourably disposed to continuing and strengthening it. Whether the Soviet Union will wait that long before itself repudiating the agreement, whether by word or deed, remains to be seen. But the fact that the more questionable tests of SDI and any decision actually to deploy a system must await a new US Administration suggests that it would be in the Soviet interest to wait, to continue attempting to achieve agreement with the Reagan Administration in its waning days, but without giving up on the idea of a compromise trading deep cuts in offensive arms for continued preservation of the ABM Treaty, if success continues to elude them in the near-term.

Supporters of the ABM Treaty are often criticized for assuming that it is sacrosanct and set in stone, incapable of being modified in the light of changing technologies and strategic circumstances. The Treaty itself, of course, allows for such modification, whether at the five-year review conferences or more or less continuously through the SCC. It is conceivable that a limited BMD designed to protect strategic deterrent forces and command and control installations could be accommodated within the terms of an amended ABM Treaty. However, the difficulty of distinguishing between such a system and the kind of nationwide defence that the Treaty was originally intended to preclude is always present and may in fact be growing with advancing technology, especially space-based. It is also conceivable, of course, that the two superpowers might indeed choose to pursue a defence-dominated strategic relationship including massive nationwide BMD, as desired by the Reagan Administration. But, apart from its inherent desirability, which most arms control advocates and supporters of the ABM Treaty would dispute, such a goal is unlikely to be attainable without corresponding limitations on strategic offensive forces. Hence, such a world presumes a mutually agreed 'transition.' As a baseline from which to begin such a transition, the ABM Treaty might still prove invaluable.

On balance, then, the prognosis for the Treaty is mixed. While it is unlikely to be abrogated outright in the near-term, there is a danger that its continued erosion may empty it of substance and lead to an ever-deepening crisis in US-Soviet relations. The opportunity is present for reaffirming and strengthening its terms, either through the upcoming review conference or, more likely though still uncertain, as part of the long-awaited 'grand compromise' in strategic arms negotiations. However, as long as the superpowers are unable to agree on its interpretation and continue to engage in activities apparently inconsistent with its stated aims and terms, the fate of the ABM Treaty will cast a pall over the entire process of nuclear arms control.

NOTES

1. Coit D. Blacker and Gloria Duffy (eds.), *International Arms Control: Issues and Agreements*, Stanford University Press, Stanford, 1984, p. 252.
2. See, for example: *Soviet Noncompliance*, US Arms Control and Disarmament Agency, Washington, 1 February 1986, p. 6.
3. Stanford University Center for International Security and Arms Control, *Compliance and the Future of Arms Control: Report of a Working Group*, Global Outlook, Palo Alto, CA, 12 February 1987, p. II-35.
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